

1 Ronald Lovitt, Bar No. 040921
2 J. Thomas Hannan, Bar No. 039140
3 Henry I. Bornstein, Bar No. 75885
4 Terence F. Young, Bar No. 069943
5 LOVITT & HANNAN, INC.
6 900 Front Street, Suite 300
San Francisco, California 94111
Telephone: (415) 362-8769
Facsimile: (415) 362-7528
rl@lh-sf.com, jth@lh-sf.com, hib@lh-sf.com, tfylaw@earthlink.net

7 Attorneys for Defendants K-M Industries
8 Holding Co. Inc.; K-M Industries Holding Co.
Inc. ESOP Plan Committee; and CIG ESOP Plan Committee

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

On March 27, 2008, Defendants K-M Industries Holding Co., Inc. and K-M Industries Holding Co., Inc. ESOP Plan Committee (the “Kelly-Moore Defendants”) each served a set of interrogatories on plaintiffs. Plaintiffs responded timely on May 6, 2008. The parties met to confer concerning the responses on May 20, 2008. During that meet and confer, plaintiffs agreed to supplement their responses with additional and specific information.

The Order Modifying Pretrial Order dated December 16, 2007, sets May 23, 2008 as the

1 close of fact discovery in this matter. Pursuant to Local Rule 26-2, motions to compel fact
2 discovery must be filed on or before June 4, 2008.

3 In order to allow plaintiffs sufficient time to supplement and amend their responses to
4 defendants' interrogatories and for defendants to evaluate whether a motion to compel further
5 responses will be necessary, the parties hereby stipulate that plaintiffs may have to and including
6 June 4, 2008 within which to supplement and amend their responses to the Kelly-Moore
7 Defendants' interrogatories and that said defendants may have seven court days thereafter to file a
8 motion to compel further responses, if required. The Parties request that the Court enter an order in
9 line with such stipulation as set forth below.

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12 DATED: May 22, 2008 LOVITT & HANNAN, INC.

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15 By: Terence Young
16 Terence F. Young
17 Attorneys for Defendants K-M Industries Holding
18 Co., Inc.; K-M Industries Holding Co., Inc. ESOP
19 Plan Committee; and CIG ESOP Plan Committee

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DATED: May ___, 2008 LEWIS, FEINBERG, LEE, RENAKER &
JACKSON, P.C.

By: _____
Margo Hasselman
Attorneys for Plaintiffs Thomas Fernandez, Lora
Smith and Toshia Thomas

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15 By: _____
16 Terence F. Young
17 Attorneys for Defendants K-M Industries Holding
18 Co., Inc.; K-M Industries Holding Co., Inc. ESOP
19 Plan Committee; and CIG ESOP Plan Committee
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21
22 DATED: May 22, 2008 LEWIS, FEINBERG, LEE, RENAKER &
23 JACKSON, P.C.
24

25 By: Margo Hasselman
26 Margo Hasselman
27 Attorneys for Plaintiffs Thomas Fernandez, Lora
28 Smith and Toshia Thomas
29

ORDER

Good cause appearing, IT IS ORDERED that Plaintiff's shall serve their supplemental responses to defendants K-M Industries Holding Co., Inc. and K-M Industries Holding Co., Inc. ESOP Plan Committee's first sets of interrogatories on or before June 4, 2008. The date upon which said defendants may move to compel further responses to said interrogatories is extended to June 13, 2008.

DATED: _____

**Honorable Claudia Wilken
UNITED STATES DISTRICT JUDGE**